

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re\ Application of: M. Dierker et al..	Confirmation No. 2215
Appln. No.: 10/553,182	Examiner: B.M. Gulledge
Filed: July 21, 2006	Group Art Unit: 1796
For: Poly-α-Olefin-Containing Cosmetic Composition	. Docket No. C 2647 PCT/US

FILED ELECTRONICALLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO OFFICE ACTION DATED DECEMBER 11, 2008

Sir:

This is in response to the Office Action dated December 11, 2008 having a shortened statutory period for response set to expire on January 11, 2009.

The Examiner's Action consists of a Requirement for Restriction under PCT Rule 13.1.

In response to the requirement for Election of Species, dated December 11, 2008, Applicants traverse the requirement for the following reasons. The Examiner has failed to indicate the distinct species from which the election is to be made, contrary to MPEP § 809.02(a). In addition, the Examiner has mischaracterized the claims as discussed below with regard to being generic and/or reading upon species.

In order to further prosecution, it is assumed that the distinct species of primary alcohol to which restriction is required are monofunctional and difunctional alcohols as listed in claim 12:

- Group I. a) unsaturated monofunctional alcohols and
 b) branched monofunctional alcohols
- Group II. c) difunctional alcohols.

The following election is made with this understanding.

In view of the above, Applicants provisionally elect, with traverse, the following species from the "at least one primary alcohol":

Group I. a) unsaturated monofunctional alcohols and b) branched monofunctional alcohols

Claims 12-32 read upon the elected species. In this regard, it is respectfully submitted that the Examiner has made a mistake in the Office Action, page 2, fifth paragraph, in identifying claims 12, 18-21 and 28-32 as being both generic and reading upon the elected species. It is respectfully submitted that claims 12-32 are also generic.

If any additional fees are required in support of this application, authorization is hereby granted to charge our Deposit Account No. 50-1943.

Respectfully submitted,

Date: December 23, 2008

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